

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. 9004-2(c)

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In re:

Dawn McCann, Debtor

Case No.: 13-37643-CMC

Chapter 13

Judge: Hon. Christine M. Gravelle

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**

☐ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following
(choose one):

1. ☐ Motion for Relief from the Automatic Stay filed
by _____, creditor,

A hearing has been scheduled for _____, at _____ m.

OR

- ☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____ m.

☒ Certification of Default filed by Wilmington Savings Fund Society, FSB,
creditor.

I am requesting a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons (choose one):

☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached hereto.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**): _____

☐ Other (**explain your answer**): The Debtor has filed her 2016 Tax Return and is entitled to receive a refund in the total amount of \$6,812.00. Debtor will use her full refund towards the arrears. The balance of the arrears in the amount of \$1,124.76 will be paid by the Debtor no later than March 31, 2017.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: February 6, 2017

/s/ Dawn McCann

Debtor's Signature

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within fourteen (14) days of the filing of a *Creditor's Certification of Default*.